

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**JAMES DERRICK O'NEAL,** :  
Petitioner : Case No. 1:02-cv-357  
vs. :  
: Judge Michael R. Barrett  
: Magistrate Judge Michael R. Merz  
**MARGARET A. BAGLEY,** : **Death Penalty Case**  
Respondent :  
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**MOTION TO WITHDRAW AS CO-COUNSEL**

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**Principal Assistant Attorney General Matthew C. Hellman** is no longer with the Capital Crimes Unit of the Attorney General's Office and hereby request to withdraw as Co-counsel of record in the above styled case. **Assistant Attorney General Stephen E. Maher** will continue as Lead and Trial Counsel.

Respectfully Submitted,

**MARC DANN,  
Ohio Attorney General**

s/ *Matthew C. Hellman*

**MATTHEW C. HELLMAN (0071628)**  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **Motion to Withdraw as Counsel** has been forwarded via the Court's electronic filing system this 24<sup>th</sup> day of October, 2007 to the following counsel for petitioner:

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*s/ Matthew C. Hellman*

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**MATTHEW C. HELLMAN (0071628)**